

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ARTHUR S. WEST,

Plaintiff,

v.

UNITED STATES SECRETARY OF  
TRANSPORTATION, FEDERAL  
AVIATION ADMINISTRATION, U.S.  
ARMY CORPS OF ENGINEERS,  
WASHINGTON STATE DEPARTMENT  
OF TRANSPORTATION,

Defendants.

Case No. C06-5516RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Plaintiff's Motion to Reconsider, Strike and Require Production of Full Administrative Record, and for Terms [Dkt. #25].

Having considered the entirety of the records and file herein, the Court finds and rules as follows:

Under Local Rule 7, a motion for reconsideration shall be noted for the day it is filed and requires no response unless one is requested by the Court. CR 7(h), Local Rules W.D. Wash. The Court does not require a response. Motions for reconsideration are disfavored, and will ordinarily be denied absent a showing of manifest error, or a new factual or legal basis which could not have been raised earlier. Id.

In this motion, plaintiff reiterates his arguments that were rejected by this Court that he is entitled to discover (at defendants' expense) the administrative record. The Court did not err in its previous ruling and will not reconsider it here. Plaintiff does bring forth additional evidence that he is entitled to a preliminary injunction stopping construction at the Olympia Airport. He presents some evidence that he did not present

1 in his original motion that construction is ongoing and that endangered or threatened species are found at the  
2 site. He does not, however, present any new evidence or argument that this Court possesses subject matter  
3 jurisdiction in this case. Therefore, plaintiff's motion to reconsider, strike, require production of the full  
4 administrative record, and for terms [Dkt. #25] is **DENIED**.

5 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing  
6 pro se.

7 Dated this 3<sup>rd</sup> day of May, 2007.

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10 RONALD B. LEIGHTON  
11 UNITED STATES DISTRICT JUDGE  
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